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United States Senate

SELECT COMMITTEE ON INTELLIGENCE

WASHINGTON, DC 20510-8475

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May 6, 1988

The Honorable William H. Webster
Director of Central Intelligence
Central Intelligence Agency
Washington, D.C. 20505

Dear Judge Webster:

As you know, the Committee requires each of its employees, as a condition of their employment, to execute a non-disclosure agreement. As part of this agreement, the employee agrees to submit to the Chairman and Vice Chairman of the Committee "any writing" which he or she may intend to publish for the purpose of ascertaining whether it contains information which the employee has promised not to divulge. Such information includes any classified information to which the employee had access during his tenure on the staff as well as any information discussed in Executive session of the Committee (whether classified or not). The employee promises not to take any steps towards publication, e.g. discussing or showing the manuscript to editors or publishers, until he or she has received the permission of the Chairman and Vice Chairman of the Committee. This obligation extends to former employees of the Committee for an indefinite period.

It has come to our attention that former employees of the Committee have been sending manuscripts intended for publication to agencies within the Intelligence Community for classification review, and that, indeed, agencies are complying with requests for such review.

From the standpoint of the Committee, however, this does not relieve the former employee from his obligations to the Committee. Indeed, agencies within the Intelligence Community are not in a position to make the determinations called for by the Committee's non-disclosure agreement.

Accordingly, in the future, when this situation arises, the Committee asks that the following actions be taken:

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(1) No classification reviews of "writings" prepared by former staff members of the SSCI should be undertaken except at the request of the SSCI. *

(2) Any such request made to your Agency should, together with a copy of the manuscript in question, be referred immediately to the SSCI, to the attention of the Staff Director.

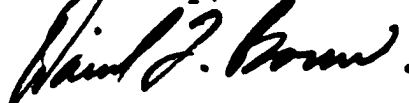
(3) The former staff member making such a request should be advised at the same time that his request is being referred to the SSCI, which must direct the agency to undertake such review. Any questions which may arise in this regard should be referred to the Staff Director of the SSCI.

If, upon review, the SSCI determines that the manuscript in question may contain classified information which appears to have been originated by your agency to which the former employee concerned had access during his tenure with the Committee, the manuscript will be furnished for your review and subsequent report to the Chairman and Vice Chairman of the Committee.

We ask that this policy be instituted immediately, and be applied to any "writings" of former SSCI staff members which may currently be pending review by your agency.

We appreciate your cooperation in this matter.

Sincerely,



David L. Boren
Chairman



William S. Cohen
Vice Chairman